

AMENDED IN SENATE JULY 3, 2003

AMENDED IN SENATE JULY 1, 2003

AMENDED IN ASSEMBLY APRIL 28, 2003

CALIFORNIA LEGISLATURE—2003–04 REGULAR SESSION

**ASSEMBLY BILL**

**No. 1489**

---

**Introduced by Assembly Member Negrete McLeod**

February 21, 2003

---

An act to amend Section 19549 of the Business and Professions Code, relating to horse racing, and making an appropriation therefor.

LEGISLATIVE COUNSEL'S DIGEST

AB 1489, as amended, Negrete McLeod. Horse racing: racing days.

Existing law provides that the jurisdiction and supervision over meetings in this state where horse races with wagering on their results are held or conducted, and over all persons or things having to do with the operation of such meetings, is vested in the California Horse Racing Board. This jurisdiction includes the authority to allocate racing days and weeks to racing associations and fairs, as provided. Existing law permits the board to allocate up to 14 racing days to a fair each year, with specified exceptions, and provides that these 14 days shall be during the period in which general fair activities are conducted. Existing law entitles specified fair racing associations in the central or southern zone to be allocated up to 3 weeks of racing.

This bill would eliminate the 14-day limit on racing days allocated to a fair each year, and provide instead that the board shall determine the number of racing days allocated to a fair each year. This bill would

~~require~~ *authorize* those days to be during the period in which general fair activities are conducted ~~unless otherwise agreed by the fair and the board~~. This bill would retain the 3-week limitation on racing by certain fairs in the central and southern zones.

Under existing law, revenues distributed to the state as license fees from horse racing are required to be deposited in the Fair and Exposition Fund and are continuously appropriated to the Department of Food and Agriculture for various regulatory and general governmental purposes. By eliminating the limit on racing days the board can allocate to a fair, this bill would authorize additional wagering, and would increase the amount of continuously appropriated license fees, thereby making an appropriation.

Vote: <sup>2</sup>/<sub>3</sub>. Appropriation: yes. Fiscal committee: yes. State-mandated local program: no.

*The people of the State of California do enact as follows:*

1     SECTION 1.   Section 19549 of the Business and Professions  
2     Code is amended to read:  
3     19549.   Except as provided in Section 19549.1, ~~the days each~~  
4     ~~year. Those racing~~ board shall determine the number of racing  
5     days allocated to a fair ~~shall be days~~. *Those days may be* during the  
6     period in which general fair activities are conducted ~~unless the fair~~  
7     ~~and the board agree otherwise~~. However, any fair racing  
8     association that conducted racing in the central or southern zone  
9     prior to January 1, 1980, shall be entitled to be allocated up to three  
10    weeks of racing. The board shall take public testimony and make  
11    all determinations on the allocation of racing dates during a public  
12    hearing. All discussions of allocating racing dates by the board or  
13    its subcommittees shall be conducted during a public hearing.  
14    Nothing in this section diminishes the authority of the board to  
15    establish racing dates.